

**ASSEMBLY BILL**

**No. 828**

**Introduced by Assembly Member Leno**

February 20, 2003

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An act to amend Section 14229 of the Elections Code, relating to election day procedures.

LEGISLATIVE COUNSEL'S DIGEST

AB 828, as introduced, Leno. Elections: election day procedures.

Existing law requires an elections official to deliver additional ballots to a precinct that has an insufficient number of ballots.

This bill would also require the elections official, prior to delivering the additional ballots, to record the name and address of each voter unable to vote due to an insufficient number of ballots. By placing this additional requirement on the elections official, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 14299 of the Elections Code is amended  
2 to read:

3 14299. If a precinct board is unable to furnish a ballot to a  
4 qualified voter, because there is an insufficient number of ballots  
5 at the precinct, the elections official shall *record the name and*  
6 *address of each voter at the polling place, or in line at the polling*  
7 *place, who is unable to vote due to an insufficient number of ballots*  
8 *at the precinct, and then* deliver to the precinct additional ballots  
9 to ensure that all eligible voters can cast their ballots by 10 p.m.  
10 on election day.

11 SEC. 2. Notwithstanding Section 17610 of the Government  
12 Code, if the Commission on State Mandates determines that this  
13 act contains costs mandated by the state, reimbursement to local  
14 agencies and school districts for those costs shall be made pursuant  
15 to Part 7 (commencing with Section 17500) of Division 4 of Title  
16 2 of the Government Code. If the statewide cost of the claim for  
17 reimbursement does not exceed one million dollars (\$1,000,000),  
18 reimbursement shall be made from the State Mandates Claims  
19 Fund.

